

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
WESTERN DIVISION

SONY BMG MUSIC ENTERTAINMENT; a  
Delaware General Partnership, UMG  
RECORDINGS, INC., a Delaware corporation;  
WARNER BROS. RECORDS INC.; a  
Delaware corporation; CAPITOL RECORDS,  
INC., a Delaware Corporation; and ARISTA  
RECORDS LLC, a Delaware limited liability  
company,

Plaintiffs,

v.

JOHN DOE,

Defendant.

CIVIL ACTION No. 04-CV-30224 MAP

**ASSENTED-TO MOTION TO MODIFY SETTLEMENT ORDER OF DISMISSAL**

The Plaintiffs hereby submit this assented-to motion to modify the Court's March 9, 2005 Settlement Order of Dismissal. Without this modification, the Settlement Order of Dismissal would dismiss this matter on April 8, 2005. However, the parties have not yet finished documenting the settlement in principle that was reached and reported to this Court on March 7, 2005. Accordingly, the Plaintiffs respectfully request that the Settlement Order of Dismissal be modified and the dismissal date be extended thirty-one (31) days, to May 9, 2005.

SONY BMG MUSIC ENTERTAINMENT; UMG  
RECORDINGS, INC.; WARNER BROS.  
RECORDS INC.; CAPITOL RECORDS, INC.; and  
ARISTA RECORDS LLC  
By their attorneys,

/s/ Colin J. Zick

Colin J. Zick (BBO No. 556538)  
Gabriel M. Helmer (BBO No. 652640)  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, MA 02210-2600  
Phone: (617) 832-1000  
Fax: (617) 832-7000

ASSENTED TO:

JOHN DOE  
By his attorney,

/s/ William C. Newman  
William C. Newman, Esq.  
Lesser, Newman, Souweine & Nasser, LLP  
39 Main Street, Suite 1  
Northampton, MA 01060-3132

COUNSEL FOR THE DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of April, 2005, I caused a true copy of the above document to be served upon defendant's counsel and counsel for Mt. Holyoke College by mail.

/s/ Colin J. Zick  
Colin J. Zick

B3017521.1